

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

**UNITED STATES OF AMERICA
ex rel. PAUL CAIRNS, et al.**

PLAINTIFFS

v.

Case No. 1:12-CV-00004-LPR

D.S. MEDICAL, LLC, et al.

DEFENDANTS

ORDER

Pursuant to the Joint Stipulation of Dismissal and the Joint Proposed Order of Dismissal submitted therewith (Doc. 759):

1. This action, which includes all claims associated with the January 5, 2012 *qui tam* complaint filed by the Relators and the United States' Complaint in Intervention filed on July 9, 2014, is dismissed with prejudice as to Relators, with the exception of Relators' claims for costs, fees, and expenses pursuant to 31 U.S.C. § 3730(d)(1) and Relators' claims for a share of the settlement proceeds pursuant to 31 U.S.C. § 3730(d)(1).

2. This action is dismissed with prejudice as to the United States with respect to the Covered Conduct set forth in the Settlement Agreement and without prejudice as to the United States as to all remaining claims.

3. The Court shall retain jurisdiction of this case for purposes of (i) enforcing the terms of the parties' settlement agreement; (ii) adjudicating Relators' claims for costs, attorney's fees, and expenses pursuant to 31 U.S.C. § 3730(d)(1); and (iii) Relators' claims for a share of the settlement proceeds pursuant to 31 U.S.C. § 3730(d)(1).

4. The contents of the Court's file which remain under seal and have not been made public shall remain under seal.

IT IS SO ORDERED this 20th day of March 2023.

A handwritten signature in black ink, appearing to read 'Lee P. Rudofsky', with a long horizontal line extending to the right.

LEE P. RUDOFSKY
UNITED STATES DISTRICT JUDGE